

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1, 14-16, 18, 20-26 and 30-54 are pending in the application, with 1, 14, 16, 18, 21, 30, and 49 - 54 being the independent claims. Claims 2-13, 17, 19, and 27 were canceled in a previous amendment. Claims 28 and 29 are sought to be canceled without prejudice to or disclaimer of the subject matter therein. Claims 1, 14, 16, 18, 21, 30, 33, 36, 39, 42, and 45-51 are sought to be amended. New claims 52-54 are sought to be added. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 112

On page 3 of the Office Action, claims 33, 36, 39, 42, 45, and 48 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants have amended the rejected claims to address the alleged deficiencies, and respectfully request that the rejection be reconsidered and withdrawn.

Rejections under 35 U.S.C. § 102

On page 3 of the Office Action, claims 1, 14-16, 18, 20-26 and 28-51 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,862,325 to

Reed et al. (hereinafter Reed). Applicants respectfully traverse the rejection, and request that it be withdrawn.

Differences exist between Reed and the claimed embodiments of the present invention. For example, new claim 52 recites the following:

maintaining state information on the device, wherein the state information is data representative of at least one resource of the device.

Reed does not teach or suggest this feature of claim 52. On page 3 of the Office Action, the Examiner cites sections of Reed and asserts that they teach “provisions for monitoring and maintaining the communications status of a user and maintaining version data for service and communication objects of the consumer devices.” Applicants disagree with the Examiner's characterization. However, even assuming *arguendo* that Reed describes what the Examiner alleges, such a description would not teach or suggest maintaining state information, as recited in claim 52. In particular, operations on a communications status, version data for service and communication objects do not specify data representative of a resource of a *device*. Rather, they specify data representative of an object or of the status of a *user* within the communication system. Both the status of a user and the version of an object are not device specific.

The state information recited in claim 52 (and the other independent claims) is device dependent. They enable the device receiving information (such as, but not limited to, a PDA) to display the information in a manner that takes into consideration the resources of the device (such as, but not limited to, the screen size of the device or the operating system being run on the device). The sections of Reed cited by the Examiner do not teach or suggest device dependent features. Rather, they, at most, describe

communication system dependent features such as a version of an object within the system or a user's communication status. Provisions for monitoring and maintaining such features are based on protocols implemented in a communication system and not data representative of at least one resource of a device.

As best understood, in col. 22, lines 5-14, Reed describes attributes of communication objects such as pages, SystemID, and markup language version used to generate instances of the object. In col. 30, lines 49-62, Reed describes how multiple versions of a communication object are handled. In some cases, multiple versions of a communications object may be retained so a user can revert to previous versions of the communications object. The number of retained versions depends on global preference attributes or a communication object preference attribute and one or more archiving rules. In col. 92, line 24 - col. 93, line 29 of Reed, techniques dealing with multiple versions of a communications object are further described. In one technique, each time a new version of a communication object is created, a network address is generated and stored in the communications object along with the current date and time. Next, a copy of a previous version of the communications object is renamed and stored on the local or network file system. Both the current and renamed objects are then sent to the server. Whenever a new object is received at the consumer, version monitoring is done to ensure version synchronization between the server and the consumer. Another technique is to have the consumer submit the UID and the version value of the communications object to be updated to the server. The server then sends the consumer all missing versions. Certain parameters, such as user preferences, may also be considered in monitoring the

version of a communications object. Previous versions can also be archived as backups to prevent data loss in the case of corruption, hardware failures, etc.

Accordingly, Reed describes a process for handling multiple versions based on information stored in the communication object, system preferences (such as global preference attributes), or user preferences. In contrast to the claimed invention, Reed does not teach or suggest "maintaining state information on the device, wherein the state information is data representative of at least one resource of the device" or "processing said event on the device based at least on the state information to recover the data object in a format suitable to the device."

In col. 98, lines 35-61, Reed describes monitoring the versions of a service object. Push and pull techniques can be used to ensure current versions of a service object are in needed locations of the system. Whenever a method call is made, version monitoring is used to ensure the most current version of the service object is used. Applicants assert that a version of a service object is not device specific information and does not constitute data representing at least one resource of a device.

In col. 141, lines 22-45, Reed describes how the addition of API functions allow programs to monitor the communications status of a user. Using an API telephony call, programs may determine if a user was on the telephone and may forward information to the user accordingly by other means, such as a cellular phone. Applicants assert that this portion of Reed describes operations relating to information of a user and does not teach or suggest maintaining data representative of at least one resource of the device.

Thus, Applicants respectfully assert that Reed does not teach or suggest "maintaining state information on the device, wherein the state information is data

representative of at least one resource of the device" or "processing said event on the device based at least on the state information to recover the data object in a format suitable to the device," as recited in claim 52. Accordingly, Applicants respectfully assert that claim 52 and its dependent claims are patentable over Reed.

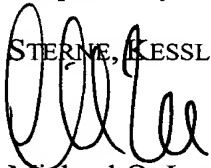
Independent claims 1, 14, 16, 18, 21, 30, 49-51, 53 and 54 recite similar features as claim 52. Accordingly, for at least the above reasons, Applicants respectfully assert that claims 1, 14, 16, 18, 21, 30, 49-51, 53 and 54 and their respective dependent claims are patentable over Reed.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

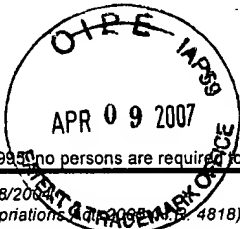


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Effective on 12/08/2004
Fees pursuant to the Consolidated Appropriations Act, 2005 (Pub. Law 109-171, 4818).**FEE TRANSMITTAL**
For FY 2007☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 650.00

Complete if Known

Application Number	09/950,005
Filing Date	September 12, 2001
First Named Inventor	Robert W. BAYNES, Jr.
Examiner Name	Shingles, Kristie D.
Art Unit	2141
Attorney Docket No.	1933.0050001

METHOD OF PAYMENT (check all that apply)☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 19-0036 Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C.

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Fee (\$)	Small Entity Fee (\$)
50	25
200	100
360	180

Total Claims	36	Extra Claims	Fee (\$)	Fee Paid (\$)
37	- 20 or HP =	1	x 50.00	= 50.00

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	9	Extra Claims	Fee (\$)	Fee Paid (\$)
12	- 3 or HP =	3	x 200.00	= 600.00

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
	- 100 =	/ 50 =	(round up to a whole number) x	=

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

Fees Paid (\$)

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	35,239	Telephone	(202) 371-2600
Name (Print/Type)	Michael Q. Lee	Date	April 9, 2007		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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